



**ARIZONA STATE SENATE**  
*Fifty-Third Legislature, Second Regular Session*

**AMENDED**  
FACT SHEET FOR S.C.R. 1034

independent redistricting commission; membership

Purpose

Subject to voter approval, constitutionally alters the membership and appointment process of the Independent Redistricting Commission (IRC).

Background

With the approval of Proposition 106 at the 2000 General Election, the job of drawing Arizona's congressional and legislative district lines was transferred from the Legislature to the five-member IRC. The Commission on Appellate Court Appointments (Appellate Commission) nominates a pool of 25 applicants who are required to meet specific criteria regarding geographic representation, political affiliation, and political employment and activity. The first four members are selected in succession by each of the four caucus leaders at the Legislature, with those four Commissioners then selecting a fifth person from the pool of applicants that does not have a party affiliation to serve as the chair of the IRC ([Ariz. Const. art. 4, pt. 2, § 1](#)).

The IRC begins the mapping process by creating districts of equal population in a grid-like pattern across Arizona. Adjustments to the districts are made to accommodate compliance with the U.S. Constitution and the Voting Rights Act and to the extent practicable, the following five goals: 1) equal population for the congressional districts and equal population for the state legislative districts; 2) geographic compactness and contiguousness; 3) boundaries that must respect communities of interest; 4) use of visible geographic features, city, town and county boundaries and undivided census tracts; and 5) favoring the creation of competitive district without significant detriment to the other goals ([Ariz. Const. art. 4, pt. 2, § 1](#)).

The Appellate Commission is established in the Arizona Constitution. The Appellate Commission consists of the Chief Justice of the Arizona Supreme Court as an ex officio member and chairman of the Appellate Commission, five attorney members and ten non-attorney members, all of which are appointed by the Governor with advice and consent of the Senate in the manner prescribed by law ([Ariz. Const. art. 6, § 36](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires the IRC to consist of nine members, rather than five.

2. Eliminates the requirement that the Appellate Commission nominate a pool of 25 qualified candidates to be considered for appointment to the IRC.
3. Requires the Appellate Commission to nominate a pool of five qualified candidates who are not registered with either of the two largest political parties to serve as chair of the IRC.
4. Requires, in addition to current appointment procedures for the first four members of the IRC, that subsequent appointments be made in the following manner:
  - a) the fifth member by the President of the Senate;
  - b) the sixth member by the minority party leader of the House of Representatives;
  - c) the seventh member by the Speaker of the House of Representatives;
  - d) the eighth member by the minority party leader of the Senate; and
  - e) the ninth member by a majority vote of the other eight appointed members to the IRC, to be selected from the pool of five nominees established by the Appellate Commission.
5. Requires the seventh and eighth appointees to be unregistered with a political party.
6. Stipulates that if the members of the IRC fail to nominate a ninth member within 15 days of a meeting called by the Secretary of State, then the ninth member is determined by a lot draw.
7. Prohibits the largest state legislative district by population from exceeding the population of the smallest state legislative district by more than two percent.
8. Designates the IRC as a public body subject to open meeting laws.
9. Eliminates the requirement that a vacancy in the first four nominees remaining after initial appointments be filled by the Appellate Commission from the pool of nominees.
10. Eliminates the requirement that the first four nominees select a fifth member who is unregistered with a political party from the pool to serve as chair.
11. Eliminates the requirement that the Appellate Commission nominate a pool of three candidates to replace any member of the IRC that does not complete the term of office.
12. Specifies that a candidate nominated to replace a vacancy must be of the same political party as the member who vacated the office, and must be made by the person who made the original appointment.
13. Eliminates the requirement that the Appellate Commission fill a vacancy if a decision is not made by the original nominator after 14 days of the presentation of the nominees.
14. Eliminates the ability of the Appellate Commission's designee to act on behalf of the commission in matters relating to the IRC.
15. Specifies that no more than three members of the IRC may be of the same political party.

16. Requires membership of the IRC to be ranked by population in the following manner:
  - a) four members from the most populous county;
  - b) two members from the second most populous county; and
  - c) two members from any of the remaining counties.
17. Makes technical and conforming changes.
18. Requires the Secretary of State to submit the proposition to the voters at the next General Election.
19. Becomes effective if approved by the voters and on proclamation of the Governor.

Amendments Adopted in Committee of the Whole

1. Adds a ninth member to the IRC who serves as chair.
2. Requires the Appellate Commission to nominate a pool of five candidates to serve as chair, none of which may be from either of the two largest political parties in the state.
3. Requires the ninth member to be selected by the appointed members of the IRC, or by a lot draw, if the appointed members fail to make a selection within the specified time.
4. Reinserts language that requires districts to be as nearly equal as practicable in population.
5. Removes the ability of the Legislature to refer district maps to the voters.

Senate Action

GOV	2/14/18	DP	4-3-0
3 <sup>rd</sup> Read	2/21/18		17-13-0

Prepared by Senate Research  
March 1, 2018  
JO/ZD/lat